REMARKS

Claims 1-36 are currently pending in the present application, with Claims 1, 19, and 23 being amended. Reconsideration and reexamination of the claims are respectfully requested.

The Examiner objected to the Title as being non-descriptive. Applicants have amended the Title to more clearly describe the claimed invention.

The Examiner rejected Claims 1-36 under 35 U.S.C. 102(b) as being anticipated by either Toriumi (U.S. Patent No. 6,062,868) or Sone et al. (U.S. Patent No. 5,929,359). This rejection is respectfully traversed.

The present invention is directed an apparatus and method for converting and delivering musical content information between a client terminal and a server terminal. In one aspect of the invention, the musical content information, such as MIDI data, is converted by the server terminal and delivered to the client terminal. The server converts the musical content information by imparting additional value to the musical content information. In another aspect of the present invention, the server terminal creates and re-transmits musical information on the basis of the parameter information transmitted from the client terminal.

Neither Toriumi nor Sone disclose or teach a system in which a server terminal creates and retransmits musical information based on the musical parameters provided by the client terminal, or whereby the server terminal converts musical content information by imparting additional value.

Rather, Toriumi is directed to a method for use in a karaoke data transmission system for delivering newly composed musical melody data. As shown in Fig. 6, a new melody production section 1 composes a new melody and supplies the new melody to host 2, which then supplies the requesting terminal 4 via a subhost 3. (See also Col. 6, lines 45-47). In Toriumi, the data transmitted to the customer is merely the requested musical melody, which is never imparted with additional value (as recited in Claims 1-26), nor created using musical parameter information (as recited in Claims 27-36).

Similarly, Sone is directed to a karaoke apparatus that downloads song data from a karaoke distribution center and executes the performance of the downloaded song data. Sone simply does not disclose or teach creating or imparting additional values to musical content information.

Since neither Toriumi nor Sone contain any disclosure or suggestions of a server terminal that converts musical content information or create and retransmits musical content information based on musical parameter data, Applicants respectfully submit that Claims 1-36 are not anticipated by, nor obvious in view of, either Toriumi or Sone.

The Examiner rejected Claims 1-36 under 35 U.S.C. 102(e) as being anticipated by either Song (U.S. Patent No. 6,267,600) or Kurakake (U.S. Patent No. 6,211,453). This rejection is respectfully traversed.

Song is directed to an automatic accompaniment system in which song signal input via the microphone 100 is synthesized with an accompaniment melody signal having been subjected to s synthesis process by the synthesizing means 142. The synthesized signal is converted into a digital signal and transmitted via FM antenna 180. Kurakeke, on the other hand, is directed to an apparatus for creating accompaniment patterns and connecting together certain selected accompaniment patterns. In Kurakeke, song data and programs to be used for performance information creation are downloaded via a communication network (see Col. 10, lines 54-60).

Neither Song nor Kurakeke contain any disclosure of imparting additional values to musical content information via a server terminal (as recited in Claims 1-26) or creating musical content information based on parameter information provided by a client terminal. Accordingly, Applicants respectfully submit that Claims 1-36 are not anticipated by, nor obvious in view of, either Kurakeke or Song.

The Examiner rejected Claims 1-36 under 35 U.S.C. 102(a) as being anticipated by Tohgi et al. (U.S. Patent No. 6,072,113). This rejection is respectfully traversed.

Tohgi is directed to a performance teaching system including an electronic musical instrument 25 and a personal computer 15 connected to the musical instrument. In Tohgi,

performance data generated by a manual performance are transmitted from the musical instrument to the personal computer, which compares the manually generated performance data to a model performance data. The comparison result is then displayed to the user on the computer screen. Tohgi does not contain any disclosure or suggestion of a server terminal that imparts additional value to musical content information (as recited in Claims 1-26). Nor, does Tohgi teach or suggest using a server terminal to create musical content information based on parameter information provided by the client terminal, and retransmitting the musical content information back to the client terminal. Accordingly, Applicants respectfully submit that Claims 1-36 are not anticipated by, Tohgi.

In view of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. Reconsideration and reexamination of the claims are respectfully requested, and an early allowance is solicited. If the Examiner believes it would further advance the prosecution of the present application, he is respectfully requested to contact the undersigned attorney.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made**".

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032025300.

Respectfully submitted,

Dated: May 20, 2002

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Title:

The Title was amended in the following manner:

Apparatus and Method for [Providing Content Generation Service] Converting and Delivering Musical Content over A Communication Network or Other Information Communication Media

In the Claims:

Claims 1, 19, and 23 were amended in the following manner:

1. (Amended) A client terminal apparatus for generating content, comprising:

an input device adapted to input melody information to said client terminal apparatus;

a transmitter coupled with said input device and adapted to transmit the melody information, inputted via said input device, to a server; and

a receiver adapted to receive[,] content information from the server, the content information being created by the server imparting an additional value to the melody information transmitted via said transmitter to the server.

19. (Amended) A method for generating content, comprising:

a step of inputting melody information;

a step of transmitting the melody information, inputted via said step of inputting, to a server; and

a step of receiving[,] content information from the server, the content information being created by the server imparting an additional value to the melody information transmitted via said step of transmitting to the server.

23. (Amended) A program containing a group of instructions to cause a computer of a client terminal to perform a method for generating content, said method comprising:

a step of inputting melody information;

a step of transmitting the melody information, inputted via said step of inputting, to a server; and

a step of receiving[,] content information from the server, the content information being created by the server imparting an additional value to the melody information transmitted via said step of transmitting to the server.